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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vandlik et al

Attorney Docket No.: F-5489 CIP2 Con

Serial No.: 10/765,498

Examiner: P. Bianco

Filed: January 26, 2004

Group Art Unit: 3762

Title: Blood Processing Systems and Methods that Employ an In-Line Flexible Leukofilter

**SUGGESTING AN INTERFERENCE**

**PURSUANT TO 37 C.F.R. § 41.202(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The applicant seeks to have an interference declared between new claims 9 to 35 of this application and co-pending United States Patent Application Serial No. 10/474,805, filed April 2, 2002 (Foreign Priority: April 13, 2001), entitled "Liquid Filtering Method and Filtering System." Accordingly, the following information is provided in compliance with 37 C.F.R. § 41.202.

**Compliance with § 41.202(a)(1)**

With respect to new claims 9 to 35, applicant is suggesting an interference with co-pending United States Patent Application Serial No. 10/474,805, filed April 2, 2002 (Foreign Priority: April 13, 2001), entitled "Liquid Filtering Method and Filtering System." A copy of this application as published on August 5, 2004 (US 2004/0149657A1) is attached. This application will be referred to as "the '805 Application."

Applicant is not suggesting an interference with respect to original claims 1 to 8.

**Compliance with § 41.202(a)(2)**

**Identification of the Interfering Claims**

Applicant believes that new method claims 9 to 17 interfere with the following method claims of the '805 Application as published: Method claims 11; 12; 13 (as multiple dependent upon claims 11 or 12); 14 (as multiple dependent upon claims 11 or 12 or 13); 15 (as multiple dependent

upon claims 11 or 12 or 13 or 14); 16 (as multiple dependent upon claims 11 or 12 or 13 or 14 or 15).

Applicant believes that new system claims 18 to 35 interfere with the following system claims of the '805 Application as published: System claims 29; 30; 31 (as multiple dependent upon claims 29 or 30); 32 (as multiple dependent upon claims 29 or 30 or 31); 33 (as multiple dependent upon claims 29 or 30 or 31 or 32); 34 (as multiple dependent upon claims 29 or 30 or 31 or 32 or 33); and 35 (as multiple dependent upon claims 29 or 30 or 31 or 32 or 33 or 34).

The following table summarizes the interfering claims:

<b>Pending Claims of This Application</b>	<b>Published Claims of the '805 Application Interfering with the Pending Claims</b>
Claims 9 to 17	Claim 11 Claim 12 Claim 13 (as multiple dependent upon claims 11 or 12) Claim 14 (as multiple dependent upon claims 11 or 12 or 13) Claim 15 (as multiple dependent upon claims 11 or 12 or 13 or 14) Claim 16 (as multiple dependent upon claims 11 or 12 or 13 or 14 or 15).
Claims 18 to 35	Claims 29 Claim 30 Claim 31 (as multiple dependent upon claims 29 or 30) Claim 32 (as multiple dependent upon claims 29 or 30 or 31) Claim 33 (as multiple dependent upon claims 29 or 30 or 31 or 32) Claim 34 (as multiple dependent upon claims 29 or 30 or 31 or 32 or 33) Claim 35 (as multiple dependent upon claims 29 or 30 or 31 or 32 or 33 or 34).

### **Proposal of the Counts**

Applicant proposes the following counts 1 and 2, which are, respectively, identical to applicant's pending claims 9 and 18:

Count 1. In a method of filtering a liquid using a filter comprising a flexible housing having an inlet port and outlet port for the liquid and a sheet-like filter element for removing undesired components from the liquid, with the inlet port being separated from the outlet port by the filter element, a method characterized by maintaining the pressure at the outlet side of the filter at a positive pressure above atmospheric pressure by controlling a feed rate per unit time of a feed pump installed in an upstream flow channel of the filter.

Count 2. In a filtering system for a liquid comprising a filter comprising a flexible housing having an inlet port and outlet port for the liquid, a sheet-like filter element for removing undesired components from the liquid, with the liquid inlet port and the outlet port separated from each other by the filter element, an upstream side flow channel connected to the filter inlet port, a filtered liquid recovery bag, a downstream side flow channel connecting the filter outlet port with the recovery bag, and a feed pump installed in the upstream side flow channel, a filtering system wherein the feed rate per unit time of a feed pump installed in an upstream flow channel of the filter can be controlled so that the pressure at the outlet side of the filter is maintained at positive pressure above atmospheric pressure.

### **Correspondence of Claims to the Counts**

Applicant believes that new claims 9 to 17 of the instant application correspond to Count 1. Applicant believes that new claims 18 to 35 of the instant application correspond to Count 2.

Applicant believes that claims 11; 12; 13 (as multiple dependent upon claims 11 or 12); 14 (as multiple dependent upon claims 11 or 12 or 13); 15 (as multiple dependent upon claims 11 or 12 or 13 or 14); 16 (as multiple dependent upon claims 11 or 12 or 13 or 14 or 15) of the '805 Application as published correspond to Count 1. Applicant believes that claims 29; 30; 31 (as multiple dependent upon claims 29 or 30); 32 (as multiple dependent upon claims 29 or 30 or 31); 33 (as multiple dependent upon claims 29 or 30 or 31 or 32); 34 (as multiple dependent upon claims 29 or 30 or 31 or 32 or 33); and 35 (as multiple dependent upon claims 29 or 30 or 31 or 32 or 33 or 34) of the '805 Application as published correspond to Count 2.

The following table summarizes the correspondence of the claims to the counts:

<b>Count</b>	<b>Pending Claims of the Instant Application that Correspond to the Count</b>	<b>Published Claims of the '805 Application that Correspond to the Count</b>
1	Claims 9 to 17	Claim 11 Claim 12 Claim 13 (as multiple dependent upon claims 11 or 12) Claim 14 (as multiple dependent upon claims 11 or 12 or 13) Claim 15 (as multiple dependent upon claims 11 or 12 or 13 or 14) Claim 16 (as multiple dependent upon claims 11 or 12 or 13 or 14 or 15)
2	Claims 18 to 35	Claim 29 Claim 30 Claim 31 (as multiple dependent upon claims 29 or 30) Claim 32 (as multiple dependent upon claims 29 or 30 or 31) Claim 33 (as multiple dependent upon claims 29 or 30 or 31 or 32) Claim 34 (as multiple dependent upon claims 29 or 30 or 31 or 32 or 33) Claim 35 (as multiple dependent upon claims 29 or 30 or 31 or 32 or 33 or 34)

Applicant's claim 9 corresponds exactly to Count 1, and applicant's claim 18 corresponds exactly to Count 2. Applicant's remaining claims and the claims of the '805 Application do not correspond exactly to the respective proposed Counts. Nevertheless, they should be grouped, as set forth above, with their respective corresponding Count, because they recite the same patentable invention as the respective proposed Count within the meaning of 37 C.F.R. § 41.203(a).

**Compliance with § 41.202(a)(3)**

The following claim chart shows, for Count 1, why corresponding new claim 9 of the instant application and corresponding claim 11 the '805 application interfere within the meaning of § 41.203(a).

Count 1	Claim 11 of the '805 Application	New Claim 9 of the Instant Application	Why the Claims Interfere
<p>1. In a method of filtering a liquid using a filter comprising</p> <p>a flexible housing having an inlet port and outlet port for the liquid and</p> <p>a sheet-like filter element for removing undesired components from the liquid,</p> <p>with the inlet port being separated from the outlet port by the filter element,</p> <p>a method characterized by</p> <p>maintaining the pressure at the outlet side of the filter at a positive pressure above atmospheric pressure</p> <p>by controlling a feed rate per unit time of a feed pump installed in an upstream flow channel of the filter.</p>	<p>11. In a method of filtering a liquid using a filter comprising</p> <p>a flexible housing having an inlet port and outlet port for the liquid and</p> <p>a sheet-like filter element for removing undesired components from the liquid,</p> <p>with the inlet port being separated from the outlet port by the filter element,</p> <p>a method characterized by</p> <p>maintaining the pressure at the outlet side of the filter at 0 mmHg or more above atmospheric pressure</p> <p>by controlling a feed rate per unit time of a feed pump installed in an upstream flow channel and/or downstream flow channel of the filter.</p>	<p>9 (New). In a method of filtering a liquid using a filter comprising</p> <p>a flexible housing having an inlet port and outlet port for the liquid and</p> <p>a sheet-like filter element for removing undesired components from the liquid,</p> <p>with the inlet port being separated from the outlet port by the filter element,</p> <p>a method characterized by</p> <p>maintaining the pressure at the outlet side of the filter at a positive pressure above atmospheric pressure</p> <p>by controlling a feed rate per unit time of a feed pump installed in an upstream flow channel of the filter.</p>	<p>The preambles of claim 11 and claim 9 are identical and anticipate each other.</p> <p>These elements of claim 11 and claim 9 are identical and anticipate each other.</p> <p>These elements of claim 11 and claim 9 are identical and anticipate each other.</p> <p>These elements of claim 11 and claim 9 are identical and anticipate each other.</p> <p>Claim 11 defines maintaining the pressure at the outlet above a negative pressure -- at 0 mmHg or more above atmospheric pressure. Claim 9 likewise defines maintaining a pressure at the outlet above a negative pressure -- at a positive pressure above atmospheric pressure. The subject matter of this element of claim 11 anticipates the subject matter of this element of claim 9, and vice versa.</p> <p>Claim 11 defines controlling a feed pump in an upstream and/or downstream flow channel. Claim 9 defines controlling a feed pump installed in an upstream flow channel. The subject matter of this element of claim 11 anticipates the subject matter of this element of claim 9, and vice versa.</p>

The following claim chart shows, for Count 2, why corresponding new claim 18 of the instant application and corresponding claim 29 the '805 application interfere within the meaning of § 41.203(a).

Count 2	Claim 29 of the '805 Application	Claim 18 of the Instant Application	Why the Claims Interfere
<p>2. In a filtering system for a liquid comprising</p> <p>a filter comprising a flexible housing having an inlet port and outlet port for the liquid,</p> <p>a sheet-like filter element for removing undesired components from the liquid,</p> <p>with the liquid inlet port and the outlet port separated from each other by the filter element,</p> <p>an upstream side flow channel connected to the filter inlet port,</p> <p>a filtered liquid recovery bag,</p> <p>a downstream side flow channel connecting the filter outlet port with the recovery bag, and</p> <p>a feed pump installed in the upstream side flow channel,</p> <p>a filtering system wherein the feed rate per unit time of a feed pump installed in an upstream flow channel of the</p>	<p>29. In a filtering system for a liquid comprising</p> <p>a filter comprising a flexible housing having an inlet port and outlet port for the liquid,</p> <p>a sheet-like filter element for removing undesired components from the liquid,</p> <p>with the liquid inlet port and the outlet port separated from each other by the filter element,</p> <p>an upstream side flow channel connected to the filter inlet port,</p> <p>a filtered liquid recovery bag,</p> <p>a downstream side flow channel connecting the filter outlet port with the recovery bag, and</p> <p>a feed pump installed in the upstream side flow channel and/or the downstream side flow channel,</p> <p>a filtering system wherein the feed rate per unit time of a feed pump installed in an upstream flow channel and/or</p>	<p>18 (New). In a filtering system for a liquid comprising</p> <p>a filter comprising a flexible housing having an inlet port and outlet port for the liquid,</p> <p>a sheet-like filter element for removing undesired components from the liquid,</p> <p>with the liquid inlet port and the outlet port separated from each other by the filter element,</p> <p>an upstream side flow channel connected to the filter inlet port,</p> <p>a filtered liquid recovery bag,</p> <p>a downstream side flow channel connecting the filter outlet port with the recovery bag, and</p> <p>a feed pump installed in the upstream side flow channel,</p> <p>a filtering system wherein the feed rate per unit time of a feed pump installed in an upstream flow channel of the</p>	<p>The preambles of claim 29 and claim 18 are identical and anticipate each other.</p> <p>These elements of claim 29 and claim 18 are identical and anticipate each other.</p> <p>These elements of claim 29 and claim 18 are identical and anticipate each other.</p> <p>These elements of claim 29 and claim 18 are identical and anticipate each other.</p> <p>These elements of claim 29 and claim 18 are identical and anticipate each other.</p> <p>These elements of claim 29 and claim 18 are identical and anticipate each other.</p> <p>These elements of claim 29 and claim 18 are identical and anticipate each other.</p> <p>Claim 29 defines controlling a feed pump in an upstream and/or downstream flow channel. Claim 18 defines controlling a feed pump installed in an upstream flow channel. The subject matter of this element of claim 29 anticipates the subject matter of this element of claim 18, and vice versa.</p> <p>Claim 29 defines maintaining the pressure at the outlet above a negative pressure -- at 0 mmHg or more above</p>

Count 2	Claim 29 of the '805 Application	Claim 18 of the Instant Application	Why the Claims Interfere
filter can be controlled so that the pressure at the outlet side of the filter is maintained at positive pressure above atmospheric pressure.	downstream flow channel of the filter can be controlled so that the pressure at the outlet side of the filter is maintained at 0 mmHg or more above atmospheric pressure.	filter can be controlled so that the pressure at the outlet side of the filter is maintained at positive pressure above atmospheric pressure.	atmospheric pressure. Claim 18 likewise defines maintaining a pressure at the outlet above a negative pressure – at a positive pressure above atmospheric pressure. The subject matter of this element of claim 29 anticipates the subject matter of this element of claim 18, and vice versa.

**Compliance with § 41.202(a)(4)**

Applicant will prevail on priority because, for each Count, applicant has a date of conception and a date of actual reduction to practice that is earlier than the earliest effective filing date of the '805 Application, which is April 13, 2001.

In this regard, applicant submits the companion (1) Declaration of Tom Westberg, Rohit Visnoi, and Mark R. Vandlik; (2) Supplemental Declaration of Mark R. Vandlik; (3) Declaration of Matthew R. Muller; and (4) Declaration of Daniel R. Lynn. These Declarations show that applicant has a corroborated conception and reduction to practice of the subject matter of the proposed Counts and of applicant's respective corresponding claims that is earlier than April 13, 2001, the earliest effective filing date of the '805 application.

**Compliance with § 41.202(a)(5)**

The following claim chart shows, for each new claim 9 to 35, the corresponding written description in the instant application.

New Claims	Corresponding Written Description in the Instant Application
<p>9 (New). In a method of filtering a liquid using a filter comprising</p> <p>a flexible housing having an inlet port and outlet port for the liquid and</p> <p>a sheet-like filter element for removing undesired components from the liquid,</p> <p>with the inlet port being separated from the outlet port by the filter element,</p> <p>a method characterized by</p> <p>maintaining the pressure at the outlet side of the filter at a positive pressure above atmospheric pressure</p> <p>by controlling a feed rate per unit time of a feed pump installed in an upstream flow channel of the filter.</p>	<p>The written description describes a method of filtering a liquid (i.e., red blood cells) using a filter 313 that removes leukocytes from the red blood cells. See e.g., page 36, line 33 to Page 43, line 8 and Figures 1 and 23 (“When the collection of red blood cells and the return of plasma and residual blood components has been completed, the controller 16 switches, either automatically or after prompting the operator, to an in-line leukofiltration cycle. During this cycle, red blood cells are removed from the red blood cell collection reservoir 308 and conveyed into the red blood cell storage containers 307 and 308 through the leukocyte removal filter 313.” Page 36 line 33 to Page 37, line 8).</p> <p>The written description describes a flexible housing 100 for the filter. The housing 100 comprises first and second flexible sheets of plastic material 104 (Page 40, lines 30 to 33). Inlet and outlet ports 108 are secured to the flexible housing (Page 41, lines 13-19). These features are shown in Figures 24A and 24B.</p> <p>The written description describes a filtration medium 102 that is enclosed within the housing 100. The filtration medium can be arranged in a single layer or in a multiple layer stack. The filter medium can be fibrous and remove undesired components (i.e., leukocytes) by depth filtration. The filtration medium 102 separates the inlet port from the outlet port. See Page 40, lines 16 to 27 and Figure 24A. The filtration medium 102 is also shown in Figures 24A and 24B.</p> <p>The written description describes a method of “pump-assisted leukodepletion,” in which the removal of undesired materials by the filter is not driven by gravity flow through the filter, but instead by pumping the liquid (i.e., red blood cells) with a pump through the filter (see Page 42, line 26 to Page 43, line 1) (“... external peristaltic or fluid actuated pumping devices can be used to transfer whole blood or manually processed blood products from separation bags into processing or storage containers through intermediate leukofiltration devices.” Page 42, line 32 to Page 43, line 1). The leukofiltration cycle is also described at Page 36, line 33 to Page 37, line 9, et seq.</p> <p>In a preferred embodiment, the pump takes the form of dual pneumatic pump chambers PP3 and PP4 housed within a cassette 28. The dual pump chambers PP3 and PP4 are operated in tandem to pump liquid through the filter. Operating in tandem, the pump chambers pump fluid through the filter in a uniform flow driven by the application of successive pump strokes of positive pneumatic pressure (see e.g., Page 10, lines 1 to 8; Page 26, lines 15 to 23 ). The pump strokes of positive pressure also mix an additive solution with the red blood cells within the filter, and transport the mixture of additive solution and the red blood cells downstream of the filter into collection bags 307/308 (see Page 36, line 34 to page 39, line 20). A</p>



New Claims	Corresponding Written Description in the Instant Application
	<p>controller counts the pump strokes to control the feed rate per unit time. (Page 37, line 31 to Page 38, line 14).</p> <p>Pressure at the outlet side of the filter is clearly maintained at a positive pressure above atmospheric pressure by the pump, to maintain liquid transport and mixing through the filter and to flow through downstream flow components.</p>
10 (New). The method according to claim 9, wherein the filter does not comprise a spacer for securing a flow channel at the outlet side of the filter.	Fig. 24A shows the outlet side of the filter to be free of a spacer.
<p>11 (New). The method according to claim 9 or claim 10, wherein</p> <p>the filter of which the outlet side flexible housing has not been processed to provide irregularity as a spacer for securing a flow channel at the filter outlet side and/or</p> <p>a filter in which a tube is not inserted between the outlet side flexible housing and the sheet-like filter as a spacer for securing a flow channel at the filter outlet side are/is used.</p>	<p>Fig. 24A shows the outlet side of the filter to be free of irregularities to serve as a spacer, and to be free of a tube inserted between the outlet side of the flexible housing and the filter to serve the same purpose. The filter housing 100 comprises flexible sheets 104, which are illustrated as generally flat and without any irregularity that would serve as a spacer.</p>
<p>12 (New). The method according to claim 9, wherein the liquid to be filtered is blood.</p> <p>13 (New). The method according to claim 10, wherein the liquid to be filtered is blood.</p> <p>14 (New). The method according to claim 11, wherein the liquid to be filtered is blood.</p>	The written description describes the filtration of red blood cells (Page 36, line 34 to Page 37, line 7 and Figure 23)
<p>15 (New). The method according to claim 12, wherein the filter is used for removal of leukocytes.</p> <p>16 (New). The method according to claim 13, wherein the filter is used for removal of leukocytes.</p> <p>17 (New). The method according to claim 14, wherein the filter is used for removal of leukocytes.</p>	The written description describes the filter as a "leukocyte removal filter 313." The filter 313 removes leukocytes from the red blood cells (Page 40, lines 16 to 27. Figures. 24A and 24B).
<p>18 (New). In a filtering system for a liquid comprising a filter comprising</p> <p>a flexible housing having an inlet port and outlet port for the liquid,</p>	<p>The written description describes a method of filtering a liquid (i.e., red blood cells) using a filter 313 that removes leukocytes from the red blood cells. See e.g., page 36, line 33 to Page 43, line 8 and Figures 1 and 23 ("When the collection of red blood cells and the return of plasma and residual blood components has been completed, the controller 16 switches, either automatically or after prompting the operator, to an in-line leukofiltration cycle. During this cycle, red blood cells are removed from the red blood cell collection reservoir 308 and conveyed into the red blood cell storage containers 307 and 308 through the leukocyte removal filter 313." Page 36 line 33 to Page 37, line 8).</p> <p>The written description describes a flexible housing 100 for the filter. The housing 100 comprises first and second flexible sheets of plastic material 104 (Page 40, lines 30 to 33). Inlet and outlet ports 108 are secured to the flexible housing (Page 41, lines 13-19). These features are shown in Figures 24A and 24B.</p>

New Claims	Corresponding Written Description in the Instant Application
<p>a sheet-like filter element for removing undesired components from the liquid, with the liquid inlet port and the outlet port separated from each other by the filter element,</p> <p>an upstream side flow channel connected to the filter inlet port,</p> <p>a filtered liquid recovery bag,</p> <p>a downstream side flow channel connecting the filter outlet port with the recovery bag,</p> <p>and a feed pump installed in the upstream side flow channel,</p> <p>a filtering system wherein the feed rate per unit time of a feed pump installed in an upstream flow channel of the filter can be controlled so that the pressure at the outlet side of the filter is maintained at positive pressure above atmospheric pressure.</p>	<p>The written description describes a filtration medium 102 that is enclosed within the housing 100. The filtration medium can be arranged in a single layer or in a multiple layer stack. The filter medium can be fibrous and remove undesired components (i.e., leukocytes) by depth filtration. The filtration medium 102 separates the inlet port from the outlet port. See Page 40, lines 16 to 27 and Figure 24A. The filtration medium 102 is also shown in Figures 24A and 24B.</p> <p>Figure 1 shows an upstream flow channel (tube 38) connected to the filter inlet port. Page 13, lines 6 to 12.</p> <p>Figure 1 shows a filter liquid recovery bag (bags 307 and 309). . Page 13, lines 6 to 12.</p> <p>Figure 1 shows a downstream side flow channel (a tube) that connects the liquid recovery bag to the filter outlet port. . Page 13, lines 6 to 12. Also see Figures 25B and 27.</p> <p>The written description describes a method of “pump-assisted leukodepletion,” in which the removal of undesired materials by the filter is not driven by gravity flow through the filter, but instead by pumping the liquid (i.e., red blood cells) with a pump through the filter (see Page 42, line 26 to Page 43, line 1) (“External peristaltic or fluid actuated pumping devices can be used to transfer whole blood or manually processed blood products from separation bags into processing or storage containers through intermediate leukofiltration devices.” Page 42, line 32 to Page 43, line 1). The leukofiltration cycle is also described at Page 36, line 33 to Page 37, line 9, et seq.</p> <p>In a preferred embodiment, the pump takes the form of dual pneumatic pump chambers PP3 and PP4 housed within a cassette 28(see e.g., Page 10, lines 1 to 8; Page 26, lines 15 to 23 ). Figure 1 shows the cassette 28 to be located in the upstream side flow channel 38.</p> <p>The written description describes operation of the dual pump chambers PP3 and PP4 in tandem to pump liquid continuously through the filter. Operating in tandem, the pump chambers pump fluid through the filter in a uniform (i.e., continuous) flow driven by the application of successive pump strokes of positive pneumatic pressure (see e.g., Page 10, lines 1 to 8; Page 26, lines 15 to 23 ). The pump strokes of positive pressure also mix an additive solution with the red blood cells within the filter, and transport the mixture of additive solution and the red blood cells downstream of the filter into collection bags 307/308 (see Page 36, line 34 to page 39, line 20). A controller counts the pump strokes to control the feed rate per unit time. (Page 37, line 31 to Page 38, line 14).</p> <p>Pressure at the outlet side of the filter is clearly maintained at a positive pressure above atmospheric pressure by the pump, to</p>

New Claims	Corresponding Written Description in the Instant Application
	maintain liquid transport and mixing through the filter and to flow through downstream flow components.
19 (New). The system according to claim 18, comprising the filter without a spacer for securing a flow channel at the outlet side of the filter.	Fig. 24A shows the outlet side of the filter to be free of a spacer.
20 (New). The system according to a claim 18 or claim 19, wherein  a filter of which the outlet side flexible housing has not been processed to provide irregularity as a spacer for securing a flow channel at the filter outlet port and/or  a filter in which a tube is not inserted between the outlet side flexible housing and the sheet-like filter as a spacer for securing a flow channel at the filter outlet side are/is used.	Fig. 24A shows the outlet side of the filter to be free of irregularities to serve as a spacer, and to be free of a tube inserted between the outlet side of the flexible housing and the filter to serve the same purpose. The filter housing 100 comprises flexible sheets 104, which are illustrated as generally flat and without any irregularity that would serve as a spacer.
21 (New). The system according to claim 18, wherein the liquid to be filtered is blood.  22 (New). The system according to claim 19, wherein the liquid to be filtered is blood.  23 (New). The system according to claim 20, wherein the liquid to be filtered is blood.	The written description described the filtration of red blood cells. (Page 36, line 34 to Page 37, line 7 and Figure. 23)
24 (New). The system according to claim 21, wherein the filter is used for removal of leukocytes.  25 (New). The system according to claim 22, wherein the filter is used for removal of leukocytes.  26 (New). The system according to claim 23, wherein the filter is used for removal of leukocytes.	The written description describes the filter as a "leukocyte removal filter 313." The filter 313 removes leukocytes from the red blood cells (Page 40, lines 16 to 27 and Figures. 24A and 24B).
27 (New). A liquid filtering method using the system according to claim 18.  28 (New). A liquid filtering method using the system according to claim 19.  29 (New). A liquid filtering method using the system according to claim 20.  30 (New). A liquid filtering method using the system according to claim 21.  31 (New). A liquid filtering method using the system according to claim 22.  32 (New). A liquid filtering method using the system according to claim 23.  33 (New). A liquid filtering method using the system according to claim 24.  34 (New). A liquid filtering method using the system	See remarks relating to new claim 9 above.

New Claims	Corresponding Written Description in the Instant Application
according to claim 25.	
35 (New). A liquid filtering method using the system according to claim 26.	

**Compliance with § 41.202(a)(6)**

Applicant does not seek benefit for a constructive reduction to practice.

Respectfully Submitted,

By

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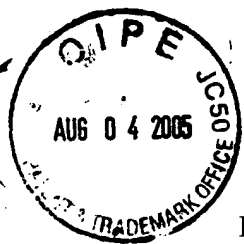
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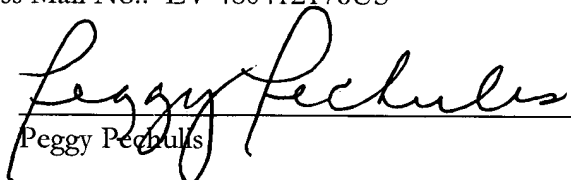


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Date: 4 August 2005.

### ATTACHED HERewith:

Suggesting an Interference Pursuant to 37.C.F.R. 41.202(a) consisting of:

12 Typewritten pages

US Patent Publication No.: US 2004/0149657 A1 (12 pages)

Supplemental Declaration of Mark R. Vandlik - (9 pages)

Tab 1 - Vandlik Exhibit S1 (1 page)

Tab 2 - Vandlik Exhibit S2 (1 Page)

Tab 3 - Vandlik Exhibit S3 (1 Page)

Tab 4 - Vandlik Exhibit S4 (2 Pages)

Tab 5 - Vandlik Exhibit S5 (4 Pages)

Declaration of Daniel R. Lynn (21 Pages)

Tab 1 - Lynn Exhibit 1 (21 Pages)

Tab 2 - Lynn Exhibit 2 (2 Pages)

Tab 3 - Lynn Exhibit 3 (1 Page)

Tab 4 - Lynn Exhibit 4 (3 Pages)

Tab 5 - Lynn Exhibit 5 (4 Pages)

Tab 6 - Lynn Exhibit 6 (9 Pages)

Tab 7 - Lynn Exhibit 7 (2 Pages)

Tab 8 - Lynn Exhibit 8 (4 Pages)

Tab 9 - Lynn Exhibit 9 (2 Pages)

Tab 10 - Lynn Exhibit 10 (1 Page)

Declaration of Matthew R. Mueller (12 Pages)

Tab 1 - Mueller Exhibit 1 (2 Pages)

Tab 2 - Mueller Exhibit 2 (1 Page)

Tab 3 - Mueller Exhibit 3 (1 Page)

Tab 4 - Mueller Exhibit 4 (1 Page)

Tab 5 - Mueller Exhibit 5 (8 Pages)

Declaration of Tom Westberg, Rohit Vishnoi, and Mark R. Vandlik (17 Pages)

Tab 1 – Westberg-Vishnoi-Vandlik Exhibit 1 (70 Pages)

Tab 2 – Westberg-Vishnoi-Vandlik Exhibit 2 (1 Page)

Tab 3 – Westberg-Vishnoi-Vandlik Exhibit 3 (21 Pages)

Tab 4 - Westberg-Vishnoi-Vandlik Exhibit 4 (2 Pages)

Tab 5 - Westberg-Vishnoi-Vandlik Exhibit 5 (1 Page)

Tab 6 - Westberg-Vishnoi-Vandlik Exhibit 6 (2 Pages)

Tab 7 - Westberg-Vishnoi-Vandlik Exhibit 7 (4 Pages)

Tab 8 - Westberg-Vishnoi-Vandlik Exhibit 8 (9 Pages)

Tab 9 - Westberg-Vishnoi-Vandlik Exhibit 9 (1 Page)

Tab 10 - Westberg-Vishnoi-Vandlik Exhibit 10 (1 Page)

Tab 11 - Westberg-Vishnoi-Vandlik Exhibit 11 (8 Pages)

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